



# MILWAUKEE POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

### 467 – ELECTRONIC CONTROL DEVICE

**GENERAL ORDER:** 2011-06

**ISSUED:** March 23, 2011

**EFFECTIVE:** March 23, 2011

**ACTION:** Amends General Order 2009-49 (December 7, 2009)

#### **467.00 PURPOSE**

The purpose of this policy is to provide police members with guidance on the proper use of Electronic Control Devices (ECD). It is the policy of this department to authorize the use of the ECD as a non-lethal use of force option.

#### **467.05 DEFINITIONS**

- A. **ELECTRONIC CONTROL DEVICE (ECD)** - An electronic control device disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a subject.
- B. **NEURO MUSCULAR INCAPACITATION (NMI)** - The direct contraction of muscles that disrupts neuro-motor control. The ECD affects the sensory and motor nervous system.
- C. **DATA PORT** - The ECD is equipped with a data port, which enables the Department to recover specific usage information, which is saved when the ECD is deployed.
- D. **ANTI-FELONY IDENTIFICATION DEVICE (AFID)** - Small, confetti-like ID tags that are ejected when an ECD cartridge is deployed. Each AFID contains the serial number of the cartridge deployed, which enables identification of the member that deployed the cartridge.
- E. **CARTRIDGE** - The ECD cartridge is a single use item that is identified by a serial number. Each cartridge contains two dart probes deployed at 160 feet per second by a 180-psi non-flammable nitrogen capsule.
- F. **ACTIVE DEPLOYMENT** - The discharge of electrical current into a subject whether by contact stun or probe deployment.
- G. **DART PROBES** - The ECD is most effective when the cartridge is deployed and the two dart probes make direct contact with the subject. Proper application will result in temporary immobilization of the subject and provide the officer a "window of opportunity" in which to take the subject safely into custody.

- H. CONTACT STUN - When contact is made by pressing the front of the ECD, with or without cartridge removed, into the body of a subject resisting lawful orders, and activating the ECD. The contact stun causes localized pain in the area touched by the ECD, but does not have a significant effect on the central nervous system. The contact stun is used to control a subject to assist in taking a subject into custody.
- I. ARC DISPLAY - A non-contact demonstration of the ECD's ability to discharge electricity. This is conducted only when the cartridge has been removed from the weapon. The purpose of this display is to convince the subject to comply with a lawful order and avoid the ECD from being deployed in the contact stun or probe mode. It is also used to assure the ECD is working properly.
- J. LASER DISPLAY -When the ECD is activated and the laser is displayed but the system is not deployed.
- K. DEFENSE AND ARREST TACTICS (DAAT) - DAAT is a system of verbalization skills coupled with physical alternatives.

#### **467.10 CARRYING OF ECD**

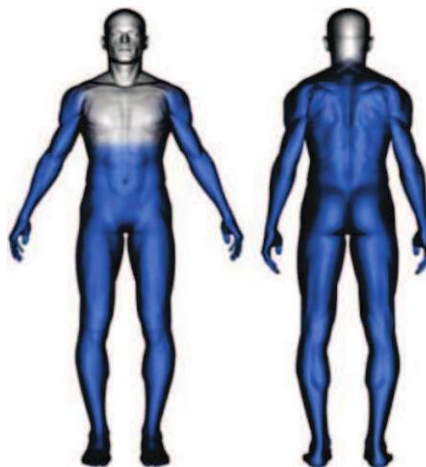
- A. Only police members that have successfully completed the Department's ECD Certification Training Program are authorized to carry and use the ECD.
- B. When not in use, the ECD shall be stored in a secured area as designated by the commanding officer of the work location. Trained members shall sign-out an ECD at the start of their shift and sign-in the ECD at the end of their shift in the ECD Log Book.
- C. Prior to the start of each shift, members shall check the ECD for damage and ensure the unit is properly charged. A supervisor shall be notified if the ECD is damaged or not functioning properly. If damaged or not functioning properly, the ECD shall not be deployed and the Training Division shall be notified as soon as practicable.
- D. Members shall ensure the cartridge doors are free of debris, and that the cartridge has not expired.
- E. Members shall carry the ECD in a Department approved holster, on the reaction side of the body, and in the "safety on" position.
- F. Members shall carry Department issued ECD cartridges in an approved holder.
- G. It is the declared policy of the Milwaukee Police Department not to authorize the private purchase of any electric weapon for its members. An ECD shall not be carried off duty.
- H. The ECD shall only be removed from the holster when it is anticipated it is going to be discharged, inspected, to complete an arc test, or taken out of service.

- I. At the start of their shift, members shall notify the dispatcher that they are ECD equipped.

#### **467.15 GUIDELINES FOR USE OF THE ECD**

- A. The ECD shall be used within the guidelines established by the Department's Use of Force Policy (SOP 460).
- B. The ECD is located on the Disturbance Resolution Model, Intervention Options, in the section titled "Control Alternative-Control Devices". The purpose of the ECD is to provide officers with a non-lethal force intervention option to defend themselves, and to overcome active resistance or its threat. Active resistance is defined as non-compliant behavior, physical in nature.
- C. The ECD is designed to incapacitate individuals, where alternative restraint tactics have been or are reasonably likely to fail, and/or where it would be unsafe for officers to approach a subject to apply restraints.
- D. The ECD is not a substitute for lethal force. However, the use of non-lethal force, such as an ECD, may prevent situations from escalating to deadly force levels and save lives.
- E. The ECD can generally be deployed effectively from a maximum distance of 25 feet. Members deploying the ECD shall keep their hands away from the front of the device at all times. The recommended target area is the lower center mass of the front of the body and the entire back area below the neck. Back shots remain the preferred area when practical.

**Preferred Target Areas in Blue**



**When practical, the most preferred target area for the ECD is the back area.**

- F. The ECD is programmed to deliver a five second NMI current. Members can decrease the five-second electrical current by turning the weapon off. However, it is recommended that during deployment, the full five-second cycle be delivered to gain maximum effectiveness and compliance of the subject.
- G. The ECD shall not be pointed at any individual unless the member involved reasonably believes it will be necessary to use the device.
- H. The deployment of the ECD will be evaluated using the department Use of Force Policy and within the framework of the authorized DAAT, Disturbance Resolution Model, Intervention Options. The ECD MAY be used under the following circumstances:
1. To overcome active resistance or its threat.
  2. To control persons in order to prevent them from harming themselves or others.
- I. REDACTED
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  2. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death.
  3. Near roofs or the edge of buildings, to eliminate the possibility of the subject falling and sustaining serious injury or death.
  4. Punitively for purposes of coercion, or in an unjustified manner.
  5. To escort or prod subjects.
  6. To awaken unconscious or intoxicated individuals.
  7. To force compliance from a subject to surrender or obtain blood or urine evidence.
  8. Against subjects who are offering only passive and/or verbal resistance.

- J. The ECD **SHOULD NOT** be used in the following circumstances (unless there are compelling reasons to do so which can be clearly articulated):
1. Against persons operating a motor vehicle.
  2. Against persons with apparent debilitating illnesses or the elderly.
  3. Against small children.
  4. Against persons on stairs, to eliminate the possibility of the subject falling and sustaining injury.
  5. When the subject is visibly or known to be pregnant.
  6. Against a person with apparent medical conditions that may be adversely affected by using the ECD, left to the totality of the situation and tactical necessity of the user.
  7. Against a person holding a firearm.
  8. Against handcuffed subjects.
  9. In a situation where deadly force is clearly justifiable, unless another officer is present and capable of providing deadly force to protect the officers and/or civilians as necessary.
  10. Against subjects fleeing on foot.

#### **467.20 USE OF ECD**

- A. Types of ECD use:
1. **Dart Probe:** ECD user deploys the device, which causes two dart probes to impede themselves into the subject.
  2. **Contact Stun:** ECD user in close contact, with or without cartridge, makes contact on suspect's body and pulls trigger.
  3. **Laser Display:** ECD user turns on laser in front of the device.
  4. **Arc Display:** No cartridge is attached and the ECD user pulls trigger displaying arc electricity between both contact points in front portion of the device.
- B. Members shall give a verbal warning, when practical, to the subject and other officers before deploying the ECD. Members deploying the ECD shall notify other officers on the scene by loudly and clearly announcing "TASER!"

- C. During active deployment of the ECD, the target area for the back is center mass. The point of aim and primary target for the front of the body is low-center mass.
- D. 

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- E. Attempts should be made to avoid targeting sensitive tissue areas such as head, face, neck, groin, or female breast area, however, probes penetrating these areas will be removed by medical personnel at a medical facility.
- F. The dart probes shall be removed from the subject's skin by an ECD certified officer.
- G. Use of the "contact stun" is discouraged except in situations where the "dart probe" deployment is not possible and the immediate application of the "contact stun" will bring a subject displaying active, aggressive resistance safely under control. **Multiple** "contact stuns" are strongly discouraged and must be justified and articulated on the Use of Force report. If initial application is ineffective, the member shall reassess the situation and consider other available options.
- H. After the suspect has been properly stabilized and handcuffed the ECD trained member shall remove the probes if applicable and provide appropriate care to the subject. The subject shall be transported to an appropriate medical facility for treatment and medical clearance before being conveyed to a district lockup, PPS, or CJF.
- I. Members actively deploying the ECD shall immediately notify their supervisor to report such deployment.
- J. Conveying officers shall notify detention medical personnel, at the time of booking, that the subject has been struck with ECD probes or received a contact stun. An examination will be conducted by detention medical personnel to determine whether the individual has suffered any injury, either directly from the ECD discharge or indirectly, such as by falling after incapacitation.

#### **467.25 USE ON ANIMALS**

- A. An ECD may be used on an animal to create temporary incapacitation in order to restrain and control with a capture pole. The ECD is a less lethal option that can be used in situations where the animal is not deemed an imminent threat to the officer or the public.
- B. During active deployment of the ECD, the target area for use on an animal is the profile of the body which appears to provide the most muscle mass.

- C. When feasible, secondary officers may choose to provide deadly force cover if the ECD fails to have the desired controlling effect and the animal becomes an imminent threat.
- D. If active or multiple ECD deployment proves to be ineffective against the animal, officer (s) should reassess the force options available to them and apply the appropriate level of force needed to control the animal and protect the public or officers.
- E. Deployment of the ECD on an animal should be treated like any other use of force.

#### **467.30 IMMEDIATE SUPERVISOR RESPONSIBILITIES**

- A. When there is an active deployment of the ECD, whether intentional or not, a supervisor shall be notified and will respond to the scene. The responding supervisor shall conduct an administrative review of the incident and file a *Use of Force Report* via the AIM system in accordance with SOP 460.
- B. Supervisors shall ensure the subject receives appropriate medical treatment and the scene is secured.
- C. Supervisors shall notify the district shift commander when an ECD has been actively deployed.
- D. Supervisors shall ensure photographs are taken of the site of the probe impacts and any related injuries.
- E. Supervisors shall ensure that spent probes and wires are disposed of, taking into consideration biohazard procedures. If it is determined by a supervisor that these items need to be retained as evidence, they are inventoried.
- F. Supervisors shall ensure that arrangements are made for the member to receive a replacement cartridge from the Training Division, after a discharge of the ECD cartridge.
- G. Supervisors shall ensure that ECD use data has been downloaded and a copy of the data is forwarded to the Professional Performance Division with the PF# denoted.
- H. Supervisors shall ensure that the ECD is downloaded quarterly or when there is an active deployment, when there is a reason to believe there was an active deployment (i.e., a complaint of inappropriate use), or when otherwise deemed necessary.

**467.35 SHIFT COMMANDER RESPONSIBILITY**

- A. Shift commanders shall respond to the scene if serious bodily injury resulted from the use of the ECD, or if other circumstances dictate.
- B. Shift commanders shall ensure the control log is properly used for weapon/cartridge check-out, check-in and weapon repairs.

**467.40 COMMANDING OFFICER RESPONSIBILITIES**

- A. Commanding officers shall ensure the ECD data has been downloaded and the printout forwarded to the Professional Performance Division denoting the PF# on the printout. They shall also review the AIM system *Use of Force Report*, ensure the report is complete and accurate, and then forwarded directly to the appropriate supervisor of the Professional Performance Division.
- B. If there are serious injuries requiring admission to a hospital or if death occurs, the commanding officer shall forward the reports via the AIM system to their respective bureau commander. Commanding officers may, at any time they believe notification to their bureau commander is warranted, forward the appropriate reports to their bureau commander.
- C. Commanding officers shall ensure a control log is maintained for weapon/cartridge check-out, check-in, and weapon repairs at their respective work location.

**467.45 DOWNLOAD PROCEDURES**

- A. The ECD shall be downloaded after an active deployment or as otherwise deemed necessary by a supervisor and the printout forwarded to the Professional Performance Division denoting the PF# on the printout. The ECD shall not be used until the download process has been concluded.
- B. Supervisors shall perform a download of the ECD's on a quarterly basis. This quarterly download printout shall be maintained in the district/bureau files for future reference.

**467.50 MEDICAL ATTENTION**

- A. When an ECD is actively deployed on a person, officers will notify the dispatcher and describe the person's injury, if applicable.
- B. If there is an injury, the dispatcher will notify the fire department dispatcher, who shall determine what type of emergency service vehicle will be sent.



- C. After securing the subject in handcuffs, an ECD trained member shall remove the probes. While wearing latex gloves, the ECD trained member shall pull the probes from the puncture site, wipe the area with a sterile alcohol swab and apply an adhesive bandage.
  - 1. After the probes have been removed, members shall inspect the probes to ensure that the entire probe barb has been removed. If a probe has broken off and is still imbedded in a subject's skin, notify medical personnel.
  - 2. If probes are imbedded in soft tissue areas such as the neck, face, and groin, the subject shall be conveyed by ambulance to a medical facility where medical personnel will remove the probes.
  - 3. The latex gloves and probes shall be disposed of according to biohazard procedures, unless there is a need to inventory them as evidence.
- D. Whenever an ECD is actively deployed on a person, that person will be conveyed to a medical facility and shall be "medically cleared".
  - 1. If the subject displays signs of a serious medical condition, becomes unconscious or there are other injuries or circumstances that require immediate medical attention, an ambulance shall convey the subject to a medical facility.
  - 2. In those circumstances when a trained ECD officer removes the probes and the subject displays no other injuries or adverse effects, they shall be transported by Department vehicle in accordance with SOP 090 - Transportation of Arrestees.

#### **467.55 EQUIPMENT MAINTENANCE AND CARE**

- A. Only ECD equipment, batteries, and Digital Power Magazines (DPM) issued by the Training Division shall be used. The ECD shall be tested at the beginning of each tour of duty. The ECD shall also be tested whenever it is assigned to a new user. The X26 DPM should be replaced when the percentage of power reads 15% or less on the digital display of the unit. The Training Division shall maintain a supply of replacement batteries and DPMs.
- B. Cartridges shall be stored in a cool, dry environment and replaced after expiration.
- C. After a cartridge has been discharged, it shall be conveyed to the Training Division, where it will be replaced.
- D. The ECD shall not be left in direct sunlight due to the possible adverse effects on plastic parts.

- E. The ECD cartridges shall be checked frequently for expiration. Expired cartridges shall be taken out of service and given to a supervisor. The Training Division Firearms Range shall keep spare ECDs and extra cartridges.

**467.60 TRAINING AND CERTIFICATION**

- A. Only certified ECD instructors shall be authorized to instruct on the ECD.
- B. Police members authorized to use an ECD must successfully complete an initial certification course and must attend biennial re-certification training.
- C. Voluntary ECD exposures are authorized for training purposes only.



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